

EDMONTON PUBLIC SCHOOLS

February 24, 2004

TO: Board of Trustees
FROM: A. McBeath, Superintendent of Schools
SUBJECT: Number of Nominators for Trustee Candidate By-law
RESOURCE
STAFF: Jim Davies, Norm Diemert, Anne Sherwood

RECOMMENDATION

1. That the Number of Nominators for Trustee Candidate By-law (the "Bylaw") be introduced.
2. That the By-law be read for the first time.
3. That the By-law be read for the second time.
4. That, in accordance with the authority of Section 69 of the *School Act*, trustees unanimously agree to give the Bylaw a third reading.
5. That, the By-law be read for the third time.
6. That the By-law having been given three readings at this meeting, be finally passed.

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A recent change to Section 27 of the *Local Authorities Election Act* authorizes a board of trustees under the *School Act* to pass a by-law specifying the minimum number of electors required to sign the nomination of a candidate for office, but that number must be at least 5 and not more than 25. It is the administration's recommendation that the number of required signatures be increased from 5 to 25 to be in keeping with the current requirement by the City of Edmonton for 25 elector signatures for mayor and councillor nominations.

Background

Prior to 1998, the board had required 25 signatures for nomination of a trustee candidate in keeping with the City of Edmonton's requirements for the office of Mayor and councillor. However, it was determined on careful reading of the *Local Authorities Election Act* that the provision for an authority to approve a bylaw for more than 5

signatures applied only to a “city” and not a board of trustees. Therefore, while the City maintained the requirement for 25 signatures for nomination of mayor and councillors, the number of required elector signatures for a trustee candidate had to be reduced to the minimum of 5 for both the 1998 and 2001 elections.

During the review of the *Local Authorities Election Act*, the district put forward a suggested amendment to the *Act* that would grant a board of trustees the same authority as a city to specify the minimum number of electors required for nominating a trustee candidate. It was argued that the position of trustee is as important to the community as the other civic positions and therefore should require a similar demonstration of community support through the maximum number of elector signatures for candidacy. Section 27 of the *Local Authorities Election Act* was subsequently amended to grant a board of trustees under the *School Act* authority to specify the minimum number of elector signatures for trustee candidacy.

Should the board approve this by-law, it will form part of the agreement with the City of Edmonton for the Conduct of the 2004 School Board Election.

AS:mmf

APPENDIX I – Number of Nominators for Trustee Candidate By-law

NUMBER OF NOMINATORS FOR TRUSTEE CANDIDATE BY-LAW

A BY-LAW RELATING TO THE REQUIREMENT FOR THE NUMBER OF
NOMINATORS FOR TRUSTEE CANDIDACY FOR ELECTION TO THE
BOARD OF TRUSTEES OF EDMONTON SCHOOL DISTRICT NO. 7
OF THE PROVINCE OF ALBERTA

WHEREAS the *Local Authorities Election Act* provides that a city or a board of trustees under the *School Act* may, by a by-law passed prior to June 30 of a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office; and

WHEREAS the minimum number of electors required to sign the nomination of a candidate for an office must be at least 5 and not more than 25; and

WHEREAS the City of Edmonton has set the minimum number of electors required to sign the nomination of a candidate for City Mayor or Councillor at 25, and

WHEREAS the election for the Board of Trustees of the Edmonton School District No 7 is conducted in conjunction with the civic election and on behalf of the district by the City; and

WHEREAS it is deemed appropriate by the Board of Trustees of the Edmonton School District No. 7 that the minimum number of electors required to sign the nomination of a candidate for trustee office be equivalent to that required for City Mayor and Councillor.

THEREFORE, the Board of Trustees of the said district enacts as follows:

Every nomination for a candidate for election as a member of The Board of Trustees of the Edmonton School District No. 7 must be signed by at least 25 electors who are eligible under the *Local Authorities Election Act* to sign the nomination.

READ A FIRST TIME THIS _____ DAY OF _____, A.D. 2004

CHAIRMAN

BOARD SECRETARY

READ A SECOND TIME THIS _____ DAY OF _____, A.D. 2004

CHAIRMAN

BOARD SECRETARY

**READ A THIRD TIME WITH THE UNANIMOUS CONSENT OF ALL MEMBERS
PRESENT AND

PASSED THIS _____ DAY OF _____, A.D. 2004

CHAIRMAN

BOARD SECRETARY

(**SEE SECTION 69 OF THE *SCHOOL ACT*)